

PROB 12B
(7/93)

Report Date: September 29, 2010

United States District Court

U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

OCT 26 2010

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Randy Zacherle

Case Number: 2:06CR00100-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 4/20/2009

Type of Supervision: Supervised Release

Original Offense: Possession of Child Pornography,
18 U.S.C. § 2252A(a)(5)(B)

Date Supervision Commenced: 4/21/2009

Original Sentence: Prison - 790 Days; TSR - 36
Months

Date Supervision Expires: 4/20/2012

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 28 You shall complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement, absent further order from the court. You shall allow reciprocal release of information between the supervising officer and treatment provider. You shall contribute to the cost of treatment according to your ability to pay.
- 29 You shall take medication for the treatment of anxiety and depression as prescribed by the license mental health treatment provider.

CAUSE

On September 22, 2010, the offender reported to his sex offender therapist, Ed Averett, as directed. This officer, Mr. Averett and the offender met to address compliance issues with treatment. The offender was advised by Mr. Averett, that since Mr. Zacherle is not admitting to committing his instant Federal offense it is making it problematic for Mr. Averett to ethically treat him. Randy Zacherle indicates he has no sex offender issues that need treatment. Mr. Zacherle was asked what areas he feels he needs assistance with. The offender replied that he needs mental health treatment for anxiety.

On September 27, 2010, the offender was asked if he wanted to participate in mental health treatment. He indicated he wanted assistance in this area. The offender reported to the probation office on September 28, 2010. He understands the rationale behind this condition and knows that he is waiving his right to a court hearing. The offender was provided a copy of the "Waiver of Hearing to Modify Conditions of Probation/Supervised Release."

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/29/2010

s/Brenda J. Kuest

Brenda J. Kuest
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

Fred Van Dulle

Signature of Judicial Officer

October 25, 2010

Date